

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
YANGIANG XING,
:

Plaintiff,
:

24-CV-5322 (JMF)
:

-v-
:

ORDER OF DISMISSAL
:

UR MENDOZA JADDOU, et al.,
:

Defendants.
:
-----X

JESSE M. FURMAN, United States District Judge:

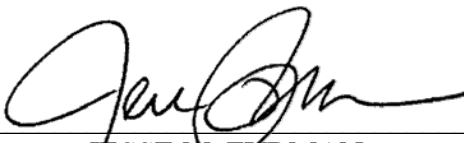
On September 24, 2024, Defendants filed a motion to dismiss the Complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure. *See* ECF No. 14. Plaintiff did not file any opposition by the November 4, 2024 deadline. *See* ECF No. 17.

Upon review of Defendant's motion papers, the motion is GRANTED and the case is dismissed substantially for the reasons stated in Defendant's memorandum of law, namely that the action is moot and the Court therefore lacks subject-matter jurisdiction. *See* ECF No. 15. Additionally, while leave to amend a complaint should be freely given "when justice so requires," Fed. R. Civ. P. 15(a)(2), it is "within the sound discretion of the district court to grant or deny leave to amend." *McCarthy v. Dun & Bradstreet Corp.*, 482 F.3d 184, 200 (2d Cir. 2007). Although courts should generally grant *pro se* plaintiffs leave to amend "at least once when a liberal reading of the complaint gives any indication that a valid claim might be stated," *Gomez v. USAA Fed. Sav. Bank*, 171 F.3d 794, 795 (2d Cir. 1999) (per curiam) (internal quotation marks omitted), the Court declines to grant such leave here because amendment would be futile, *see Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000).

The Clerk of Court is directed to close the case and to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: November 6, 2024
New York, New York



JESSE M. FURMAN
United States District Judge